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11. Appeal and Error (§ 1068 (3)*)—Harmless Error—Instructions.—Where, on evidence, verdict for defendants was only one which jury properly could have rendered, if there was any error in regard to instructions, it was harmless to plaintiff.

[Ed. Note.—For other cases, see 1 Va.-W. Va. Enc. Dig. 601.]

12. Appeal and Error (§ 1050 (1)*)—Harmless Error—Evidence.—Where evidence admitted over plaintiff's objection was of such a character that its exclusion could not properly have produced a different result, its admission was harmless to him.

[Ed. Note.—For other cases, see 1 Va.-W. Va. Enc. Dig. 594.]

Error to Circuit Court, Lunenburg County.

Notice of motion by J. Y. Glidewell against Murray-Lacy & Co. and others. To review judgment for respondents, movant brings error. Affirmed.

Geo. E. Allen, of Victoria, for plaintiff in error.

Booker, McKinney & Settle, of South Boston, for defendants in error.

BARRETT BROS *v.* FELIE.

March 13, 1919.

[98 S. E. 671.]

1. Trespass (§ 56*)—Removal of Furniture—Damages—Punitive Damages.—Where defendants removed sublessee's furniture from premises as the result of a mistake, thinking the furniture belonged to lessee, and were not prompted in so doing by malice, sublessee was entitled to compensatory damages merely, and not punitive damages.

2. Partnership (§ 153*)—Liability of Partner—Trespass by Co-partner—Punitive Damages.—A partner who knew nothing of alleged trespass until after suit was brought, and neither authorized nor ratified such trespass, was not liable for punitive or exemplary damages.

Error to Circuit Court of City of Newport News.

Action by D. Felie against Barrett Bros. Judgment for plaintiff, and defendants bring error. Reversed, and case remanded, with directions.

J. A. Massie, of Newport News, for plaintiff in error,

T. J. Christian and *W. T. Moss*, both of Newport News, for defendant in error.

*For other cases see same topic and KEY-NUMBER in all Key-Numbered Digests and Indexes.